

**MINUTES OF THE REGULAR MEETING OF  
THE EDINA PLANNING COMMISSION  
WEDNESDAY, JULY 28, 2004, 7:00 PM  
EDINA CITY HALL COUNCIL CHAMBERS  
4801 WEST 50<sup>TH</sup> STREET**

**MEMBERS PRESENT:**

**Chair D. Byron, M. Fischer, J. Lonsbury, A. Swenson, H. McClelland,  
D. Runyan, G. Workinger**

**MEMBERS ABSENT:**

**W. Skallerud and S. Brown**

**STAFF PRESENT:**

**Craig Larsen and Jackie Hoogenakker**

**I. APPROVAL OF THE MINUTES:**

The minutes of the June 30, 2004, planning commission meeting were filed as submitted.

**II. NEW BUSINESS:**

**Z-04-1 & S-04-4**

**Preliminary Rezoning and Preliminary Plat  
Mark Jones  
5125 49<sup>th</sup> Street West**

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Mr. Larsen informed the Commission the proponent is requesting a rezoning and replat of the subject property from R-1 to PRD-3 to allow the redevelopment of the property with five (5) townhouse units.

Mr. Larsen reported the proposed redevelopment with townhomes is consistent with the Comprehensive Plan, which designates the site as suitable for low density residential. The proposal also requires no variances. However, at five units the proposal is too dense relative to the neighboring properties. Concluding, Mr. Larsen said staff recommends preliminary rezoning and preliminary plat subject to: final rezoning, final plat, elimination of one unit, vacation of Pukwana Lane, Watershed District permits, Developers Agreement and provision of two guest parking spaces.

The proponent, Mr. Mark Jones was present along with his architect Mr. Jim McNeal.

Commissioner Swenson commented in reviewing the proposed plans she observed the railroad right-of-way appears overly generous, questioning if her observation is correct. Mr. Larsen responded that observation is correct. With graphics he pointed out the difference in RR right-of-way between the subject site and the residential property across the street.

Commissioner Fischer asked Mr. Larsen the reasoning behind his recommendation to reduce the proposed 5-unit development to a 4-unit development. Mr. Larsen explained the proposal requires a rezoning; it is presently zoned R-1, Single Dwelling Unit District and adding a 4-unit townhouse is comparable in density with the two apartment buildings directly east of the subject site. Mr. Larsen concluded staff based its recommendation on density.

Mr. Jones addressed the Commission and stated in his opinion a 5-unit development suits the site, adding the topography lends itself well to this project. He pointed out each unit is constructed with a 2-stall tuck under garage with additional parking provided on the individual driveway.

Chair Byron questioned with regard to parking the number of surface parking spaces the site provides. Mr. Jones responded he believes the site provides at minimum 10 spaces with the potential to achieve 15 spaces. Commissioner Swenson asked if that number includes parking in front of the garages. Mr. Jones responded in the affirmative. Mr. McNeal with graphics pointed out the proposed tuck under garages are recessed which increases surface parking space on the driveways.

Commissioner Swenson said as she views the proposal she observed the topography changes and questioned how the grade change is handled. Mr. McNeal told the Commission the architectural elements of the proposal are still in the preliminary stages but it is believed the best way to develop this lot is to orient the garages east, with the "front" facing west with each unit in a sense "stepping up". Mr. McNeal said their goal is to keep the project as level as possible.

Chair Byron asked the reasoning behind orienting the proposed townhomes as designed. Mr. McNeal said orienting the garages east lines them up with the garages of the existing apartment building. This aligns driveway-to-driveway garages to garages. Continuing, Mr. McNeal said he also believes this design plan best suits the site and neighborhood. Chair Byron noted the "front" or more appealing side would face the railroad tracks. Mr. McNeal responded in the affirmative.

Commissioner McClelland noted it appears the garages are recessed and questioned if from the garage wall to the east property line there is roughly around 27 feet. Mr. Larsen responded that figure is probably correct. He said it appears to him there is 23 feet from the easterly property line to the closest point

on the east elevation of the building and with the garages being recessed 27 feet is a good estimate. Commissioner McClelland commented that distance provides at least 2 parking spaces in front of each unit adding she would like to see more guest parking provided if possible.

Mr. Heather Tielz, 5108 49<sup>th</sup> Street West, told the Commission her concern is with parking. She pointed out that presently there is no parking on the north side of West 49<sup>th</sup> Street, adding the only street or “guest parking” is on the south side in front of the existing apartment buildings. Parking in this area is scarce. Continuing, Ms. Tielz also pointed out the subject site is directly adjacent to the only access and exit point in this neighborhood. She explained the West 49<sup>th</sup> Street entrance/exit serves all properties of this isolated area. Concluding, Ms. Tielz asked if many of the trees would be removed

Mr. McNeal responded the intent is to preserve as many trees as possible. He pointed out the majority of large trees are actually located on the railroad right of way.

Chair Byron asked Mr. Larsen if he knows the reason for the parking prohibition on the north side of West 49<sup>th</sup> Street. Mr. Larsen responded at this time he doesn't know the specifics but believes the restriction may have something to do with the width of the street. A street must maintain a certain width in order for emergency vehicles to have safe passage through an area.

Mrs. Leslie Losey, 5105 49<sup>th</sup> Street West, told the Commission her concern is also with parking and congestion. She explained she resides in the house directly east of the two apartment buildings and directly in front of her house is a Stop sign, and sharp curve. She added if she has guests they have to park in front of the apartment buildings (where parking is already stressed) and this proposal would only add more congestion.

Chair Byron commented it appears adequate on street parking is of great importance to immediate residents noting the proposal before the Commission this evening appears to meet code with additional parking (for guests) possibly occurring on the public street.

Commissioner Workinger agreed parking is of concern and suggested that the proponent eliminate one of the curb cuts which if removed would provide more on street parking. Mr. Jones responded one curb cut could be eliminated; adding in his opinion the site has room to provide more parking. Mr. Jones also mentioned the possibility of petitioning the railroad for a portion of their easement to add to the subject site.

Commissioner McClelland said she agreed with the observation made by Mr. Jones with regard to additional parking area and pointed out on the plat it

appears to her more parking spaces could be achieved in the northeast corner of the site.

Commissioner Swenson asked why this proposal is requesting a PRD-3 zoning and not PRD-2. Mr. Larsen explained when the buildings to the east were constructed the City did not have a PRD zoning classification. Presently the apartment buildings to the east are zoned PRD-2 but meet the requirements of the PRD-3 zoning district. Mr. Larsen said to staff it made sense to zone the site according to code. Commissioner Swenson asked Mr. Larsen if 4 vs. 5 units meet code requirements. Mr. Larsen responded in the affirmative, either 4 or 5 units meet code.

Commissioner Fischer stated as he visited the subject site he observed many of the single dwelling homes in the neighborhood have one-stall garages with additional parking occurring on the driveway (similar to the proposed development). The proposal before the Commission this evening provides two garage stalls per unit along with parking on each driveway and the potential for additional parking spaces on site. Commissioner Fischer said he believes the potential property owners of the townhomes may also take advantage of the public transportation system offered in close proximity to the townhomes thereby reducing the parking impact. Commissioner Fischer suggested to the proponent that adding steps from the townhouse site to the bus stop area on Vernon Avenue a good idea. Continuing, Commissioner Fischer said when he reviewed the plans and visited the site, in his opinion, the proposal before the Commission this evening is a perfect fit. He pointed out this proposal offers a zoning buffer to the R-1 single family homes while providing housing within close proximity to a busy street with public transportation options. Concluding, Commissioner Fischer reiterated in his opinion this is a good reuse of the site. Railroad tracks to the west, apartment buildings to the east and a very busy street to the south border the site. Commissioner Fischer stated the proposed townhouse development works with the site, adding he can support the requested 5 unit building.

Commissioner McClelland asked Mr. Jones if he has settled on a price for the proposed new townhomes. Mr. Jones said the price he is considering is in the low 400 thousand dollar range.

Commissioner Workinger asked Mr. Larsen why he believes the proposal is consistent with the Comprehensive Plan. Mr. Larsen responded in the Comprehensive Plan this property is recommended as low density residential. The reason for that designation is because this property is a classic example of using multi-family residential as a transitional tool. Mr. Larsen pointed out its close proximity not only to Vernon Avenue but also to the Highway 100 ramps and railroad tracks lend itself well to multi-family. Mr. Larsen added the existing house on this lot predates everything in the neighborhood.

Ms. Tielz told the Commission the existing apartments and the subject property did not participate in the sound wall assessment and she would like assurances a fence will remain along the rear of the subject property.

Mr. Jones responded there is a fence along Vernon Avenue, and it or another would remain, adding it is possible a gate could be cut into the fence to allow the residents of the townhouses direct access to Vernon Avenue. Ms. Tielz questioned the type of fence that will run along the property line. Mr. Jones said at this time he has not taken that up with the County/State. He said he believes a new fence will be erected along with the sound wall, but is unsure of what type of fence it will be, or if the County will retain the existing fence.

Chair Byron informed Ms. Tielz that at this time the Commission cannot comment on the type of fence that may be erected, or if the existing fence would remain. He noted the proponent has indicated a fence will run along that property line, but doesn't know precisely what type.

Commissioner Workinger said he would be impressed if the developer could safely direct residents from the subject site to the sidewalk on Vernon Avenue. Mr. Jones reiterated he would look into the possibility of adding a "gate" and maybe "stepping stones" where residents could walk directly to the sidewalk along Vernon Avenue.

Chair Byron asked Mr. Larsen if the proponents amend the plan to include more guest parking spaces would staff like to take this opportunity to indicate where additional parking should be located. Mr. Larsen said at this time staff would like to see that open ended allowing the proponent the opportunity to study the site to maximize parking.

Mr. McNeal said in quickly reviewing the site he believes there is additional area to locate more guest parking to the north. Mr. McNeal said more parking area could also be accomplished if the proposed townhouses were moved closer to the westerly property line. He said that was not considered because that would create a variance situation from the western lot line.

Commissioner Lonsbury questioned if the Commission should entertain the idea of granting a building setback variance from the westerly property line in order to provide more parking area to the east. Mr. Larsen responded while that is a possibility it would create a technical problem. At present this plan meets code and staff encourages compliance if compliance can be met. Mr. Larsen also pointed out as mentioned by Mr. Jones there is the possibility of requesting railroad right-of-way vacation, which in turn could provide more parking.

Commissioner Fischer moved to recommend preliminary rezoning and preliminary plat approval subject to; final rezoning and final plat approval, vacation of Pukwana Lane, Watershed District permits, Developers Agreement;

and redesign of curb cut(s)/guest parking area to maximize guest parking on the subject site. Commissioner Lonsbury seconded the motion. Ayes; Fischer, Swenson, Lonsbury, McClelland, Runyan, Workinger. Nay; Byron. Chair Byron explained he supports staff in their recommendation of a 4-unit development.

Commissioner Workinger commented it would be beneficial if each unit would provide three guest parking spaces, two in front of each garage and one additional space per unit somewhere on site.

**LD-04-6**

**John Wright, 7000 Tupa Drive  
Joel and Amy Anderson, 6909 St. Patrick's Lane**

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Mr. Larsen informed the Commission the proponents are requesting to transfer a part of an existing Outlot from the St. Patrick's Lane lot to the Tupa Drive lot. The parcel measures approximately 40 feet by 87 feet. The parcel is part of a steep hillside, sloping from north to south.

Mr. Larsen concluded staff recommends approval.

Commissioner Workinger questioned if Outlots are taxed differently from "regular lots". Mr. Larsen responded they are taxed differently. Outlots are considered "unbuildable" and are taxed to reflect that.

Commissioner Swenson moved to recommend lot division approval. Commissioner Fischer seconded the motion. All voted aye; motion carried.

### **III. OTHER BUSINESS:**

#### **Discussion on Accessory Structures:**

Mr. Larsen told the Commission at this time staff has not had the time to actively study this issue and would report back to the Commission when the task is complete.

### **IV. INTERGOVERNMENT COMMUNICATIONS:**

Chair Byron commented on the Council Connection with Commission Members indicating they feel receiving the Council Connection keeps them informed of city business.

Chair Byron asked if there are any comments from the various boards commission members serve on.

Commissioner Swenson said at this time the Heritage Preservation Board is still in the discussion phase with regard to the Morningside neighborhood, adding the board continues to hear requests for Certificates of Appropriateness in the Country Club District.

Mr. Larsen commented with regard to the Morningside neighborhood that there has been literature circulating throughout Morningside from a neighborhood group that has created a stir and kept the planning department very busy. The Council is scheduled to address the concerns raised by residents of Morningside.

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Mr. Larsen informed the Commission the City Council issued a moratorium on subdivision within the R-1 zoning district. Mr. Larsen added at this time the city is setting up interviews with experts in the field (architects, developers, realtors, etc) to form a task force that would objectively study our present subdivision ordinance. The task force may make recommendations to change some portions of the ordinance or the task force may find the ordinance serves the city well. Mr. Larsen concluded he would keep the Commission informed on the moratorium process.

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Mr. Larsen told the Commission the planning department is also setting up a task force to study the greater France Avenue area from Crosstown to 494. Mr. Larsen said he would keep the Commission informed on what is occurring in this area.

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Chair Byron informed Commission Members that City Council meetings are now televised (Channel 16) suggesting if they have the time - tune in to view the Council in action.

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## **V. ADJOURNMENT:**

Commissioner Fischer moved adjournment at 8:30 pm. Commissioner Lonsbury seconded the motion. All voted aye. Motion carried.

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Jackie Hoogenakker

